



Arizona Peace Officer Standards and Training Board

2643 East University Drive Phoenix, Arizona 85034-6914 Phone (602) 223-2514 Fax (602- 244-0477

Minutes of Meeting February 15, 2017

A public meeting of the Arizona Peace Officer Standards and Training Board was convened on February 15, 2017, at the Arizona Peace Officer Standards and Training Board, located at 2643 E. University Drive, Phoenix, AZ.

Members Present:

Sheriff Scott Mascher, Yavapai County Sheriff's Office, Chairman
Assistant Attorney General Paul Ahler, representing Attorney General Mark Brnovich
Sergeant Chris Andreacola, Tucson Police Department
Sheriff Mark Dannels, Cochise County Sheriff's Office
Chief Lawrence Hall, Buckeye Police Department
Colonel Frank Milstead, Arizona Department of Public Safety
Chief Alan Rodbell, Scottsdale Police Department
Deputy Director Greg Lauchner, representing Director Charles Ryan, AZ Department of Corrections

Members Absent:

Sergeant Leo Aparicio, Pinal County Sheriff's Office
Executive Director Andrew LeFevre, Grand Canyon University

Staff in Attendance:

Jack G. Lane, Executive Director
Billy Caldwell, Compliance Specialist
Dan Ciernia, Digital Media Supervisor
Annie Deer, Administrative Assistant
Mike Deltenre, Compliance Specialist
Marie Dryer, Program Administrator
Donna Gieber, Training Specialist
Sandy Hansberger, Administrative Assistant
Cathy Hawse, Compliance Specialist
Steve Jacobs, Compliance Specialist
Cathy Masters, Training Supervisor
Mark Perkovich, Program Administrator
Lynn Pirkle, Administrative Services Officer
Sandy Sierra, Administrative Services Officer
Chester Szoltysik, Systems Administrator
Lori Wait, Compliance Specialist
Don Yennie, Program Administrator

Assistant Attorneys General:

Michael Saltz
Seth Hargraves
Jeanne Galvin

A. Call to Order

Chairman Mascher called the meeting to order at 10:00 a.m. and asked Chief Rodbell to lead everyone in reciting the Pledge of Allegiance.

B. Introductions, Presentations and Announcements

Jack G. Lane, Executive Director

- Deputy Director Greg Lauchner of the AZ Department of Corrections will be sitting in for Director Ryan today. Assistant Attorney General Jeanne Galvin will provide legal advice to the Board on the Michael Derfus case.
- This is the first year that the Arizona Chiefs of Police have awarded a statewide Chief of the Year Award; Scottsdale Police Chief Alan Rodbell is the first recipient of this award. Chief Rodbell was congratulated by everyone and he stated it was a huge honor to be the recipient of this award and he's been extremely privileged to be surrounded by such great people and staff.
- Narcan Training will be held tomorrow at AZ POST. There will be 25 instructors trained and they will then go around the state providing training to all officers. Staff is still pursuing a potential grant to assist with costs associated with this training.

C. Executive Director's Report

Jack G. Lane, Executive Director

- Revenues for the month of January were up, but we still are not able to catch up due to the falling revenues of the past six months. Revenues are down 14% from last fiscal year. Significant cuts have been made in order to deal with the revenue shortfall.
- Several Bills are being discussed at the Legislature this week. HB 2170 would allow 5% of Rico Funds to be deposited into the Peace Officer Training Fund, which is what funds AZ POST. There is a lot of opposition to this Bill. SB 1140 would add a 14th member to the AZ POST Board; this member must be a member of a labor association that has at least 2000 active duty members and be a certified law enforcement officer in this state for at least ten years. Only the Phoenix Law Enforcement Association (PLEA) would qualify for this membership.
- Chairman Mascher stated he would like further discussion regarding funding formulas for the basic training academies. He feels there is no set formula and would like to see more consistency on how they are funded. He would also like to see the academy commanders involved in these discussions.

D. Final Action Cases:

1. #15-004 – Michael J. Derfus – AZ Department of Transportation - ECD
Mr. Paul Ahler (AAG) and Sheriff Dannels recused themselves from this case. Due to lack of a quorum, this case was tabled.

2. #16-186 – Bradley M. Gruver – Prescott Police Department
The Board considered comments from Assistant Attorney General Michael Saltz. Chief Rodbell made a motion to accept the Consent Agreement, Decision and Order for voluntary relinquishment of peace officer certification, seconded by Sheriff Dannels, motion carried unanimously.
3. #16-179 – Todd A. Hyslip – Chino Valley Police Department
Chairman Mascher recused himself from this case. Chief Rodbell was acting chair. The Board considered comments from Assistant Attorney General Michael Saltz. Sheriff Dannels made a motion to accept the Consent Agreement, Decision and Order and suspend peace officer certification for one year from November 10, 2016 to November 10, 2017, seconded by Sergeant Andreacola, motion carried unanimously.
4. #16-032 – Jose A. Olivares – Tucson Police Department
Sergeant Andreacola recused himself from this case. The Board considered comments from Assistant Attorney General Michael Saltz. Chief Hall made a motion to accept the Consent Agreement, Decision and Order and suspend peace officer certification for 18 days from February 26, 2016 to March 13, 2016, seconded by Sheriff Dannels, motion carried unanimously.
5. #16-060 – Jarod J. Boyes – Yuma Police Department
The Board considered comments from Compliance Manager Mark Perkovich. Chief Rodbell made a motion to accept the Findings of Fact and Conclusions of Law and suspend peace officer certification for one year from April 11, 2016 to April 11, 2017, seconded by Colonel Milstead, motion carried with two nay votes recorded for Sheriff Dannels and Chief Hall.
6. #16-089 – Rudy A. Dominguez – Phoenix Police Department
The Board considered comments from Compliance Manager Mark Perkovich. Sheriff Dannels made a motion to accept the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Chief Rodbell, motion carried unanimously.
7. #14-178 – John M. Holyk – Scottsdale Police Department
Chief Rodbell recused himself from this case. The Board considered comments from Compliance Manager Mark Perkovich. Colonel Milstead made a motion to accept the Findings of Fact and Conclusions of Law and revoke peace officer certification, seconded by Sheriff Dannels, motion carried unanimously.
8. #16-110 – Nicole A. Tucker – Phoenix Police Department
Colonel Milstead recused himself from this case. The Board considered comments from Compliance Manager Mark Perkovich. Chief Hall made a motion to accept the Findings of Fact and Conclusions of Law and deny peace officer certification, seconded by Chief Rodbell, motion carried unanimously.

The following case was taken out of order.

9. #16-133 – Richard C. Van Galder Jr. – Mesa Police Department
Chiefs Rodbell and Hall recused themselves from this case. Due to lack of a quorum, this case was tabled.

E. New Charging Cases:

1. #16-047 – George E. Dudas Jr. – AZ Department of Public Safety
*Colonel Milstead recused himself from this case. The Board considered comments from Compliance Specialist Ted Brandon. Chief Rodbell made a motion to **Initiate Proceedings**, seconded by Sheriff Dannels, motion carried unanimously.*
2. #16-191 – Christopher P. Trombatore – AZ Department of Public Safety
*Colonel Milstead recused himself from this case. The Board considered comments from Compliance Specialist Ted Brandon. Chief Rodbell made a motion to **Initiate Proceedings**, seconded by Chief Hall, motion carried unanimously.*
3. #16-195 – James A. Waltermire – AZ Department of Public Safety
*Colonel Milstead recused himself from this case. The Board considered comments from Compliance Specialist Ted Brandon. Sheriff Dannels made a motion to **Initiate Proceedings**, seconded by Chief Rodbell, motion carried unanimously.*
4. #16-120 – Jose M. Verdugo – San Carlos Recreation and Wildlife
*The Board considered comments from Compliance Specialist Billy Caldwell. Chief Hall made a motion to **Initiate Proceedings**, seconded by Sheriff Dannels, motion carried unanimously.*
5. #16-149 – John J. Cotsonas Jr. – Sahuarita Police Department
*The Board considered comments from Compliance Specialist Cathy Hawse; a short video was also presented. Chief Hall made a motion to **Initiate Proceedings**, seconded by Sheriff Dannels, motion carried unanimously.*
6. #16-184 – Nevin S. Brenner – Phoenix Police Department
*The Board considered comments from Compliance Specialist Steve Jacobs. Colonel Milstead made a motion to **Initiate Proceedings**, seconded by Chief Rodbell, motion carried unanimously.*
7. #16-162 – Quinton M. Gammage – Phoenix Police Department
*The Board considered comments from Compliance Specialist Steve Jacobs. Colonel Milstead made a motion to **Resolve in Future**, seconded by Sergeant Andreacola, motion carried unanimously.*

8. #16-135 – Kirk L. Wheeler – Phoenix Police Department

The Board considered comments from Compliance Specialist Steve Jacobs. Sheriff Dannels made a motion to ***Initiate Proceedings***, seconded by Chief Hall, motion carried unanimously.

F. Future Agenda Items

Executive Director Lane stated he will provide budget documents which show academy costs to the full Board and will place this discussion on the March agenda.

G. Adjournment

The meeting was adjourned at 10:57 a.m.